

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/403,107	10/14/99	KUFER	P 3816-4000

MORGAN & FINNEGAN
345 PARK AVENUE
NEW YORK NY 10154

HM11/0427

EXAMINER
EWOLDT, G

ART UNIT	PAPER NUMBER
1644	10

DATE MAILED: 04/27/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Interview Summary

Application No.
09/403,107

Applicant(s)
Kufer et al.

Examiner
G. R. Ewoldt

Group Art Unit
1644



All participants (applicant, applicant's representative, PTO personnel):

(1) G. R. Ewoldt, Ph.D.

(3) _____

(2) Maria Lin

(4) _____

Date of Interview Apr 24, 2001

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal (copy is given to 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: All pending:re Restriction Requirement and Sequence Compliance

Identification of prior art discussed:

N.A.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant questioned the inclusion of generic claims in Restriction Groups that include individual binding proteins/antibodies. Applicant was advised that all specific binding proteins/antibodies are considered to be independent and patentably distinct.

Applicant argued that the Office should compromise/deal more flexibly ,i.e., not expect claims to be amended, in light of recent court decisions limiting protection re equivalents.

Applicant was informed that an additional Sequence Compliance letter would be forthcoming requiring the inclusion of SEQ ID NOS: to all sequences disclosed in the specification before examination would begin.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

G. R. Ewoldt 4/24/01

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.